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Application No. 10/775,329

Docket No. 740116-506

REMARKS

By the above actions, the specification has been amended and a sheet of replacement drawing submitted appended to this response. In view of these actions and the following remarks, reconsideration of this application is now requested.

The drawings were objected to for failing to show the subject matter of claims 4 & 20. Accordingly, the appended new sheet of drawings has been presented which contains a new Fig. 1A which is a view taken along line A-A that has been added to Fig. 1. The specification has been amended to reflect the new reference numbers found in Fig. 1A and the section line added to Fig. 1. Accordingly, the objection to the drawings should now be withdrawn and such action is requested.

Claims 1-3, 8, 9, 12-16, 21, and 22 were rejected under 35 USC § 102 based upon the Jakel et al. patent while claims 5 and 17 were rejected on the basis of this reference and official notice. These rejections are entirely inappropriate and are evidently based upon a misreading of either the applicants' claims or the Jakel et al. patent.

With respect to the invention of claim 1, expressly requires that there be "a door lock unit having with mechanical latching elements located on an edge side of the door body," and that a "mechanical inside actuating element is located on an inner side of the door body in the immediate vicinity of the door lock unit." However, Jake et al. clearly show that their the mechanical inside actuating element (door pull 112) is positioned at a location that is remote from the immediate vicinity of the door lock unit (being closer to the front edge of door than the rear edge at which the door lock unit is mounted), a fact either overlooked or ignored by the Examiner who has simply stated that inside locking element is in the immediate vicinity of the door lock unit without citing any basis for this conclusion. The same is true for the more specific definition of this location in claims 2 & 3 which specify that "the mechanical inside actuating element is connected substantially directly to an inside actuating lever of the door lock unit" and "is formed as part of the door lock unit."

Furthermore, the location of the Jake et al. mechanical inside actuating element merely conforms to that describe in present application and goes to the heart of the departure

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of the present invention from conventional practice. In this regard, the Examiner's attention is directed to paragraph [0009] on page 3 of the specification in which it is stated:

For a long time, it has been such that the mechanical inside actuating element which is used for mechanical redundancy is made and arranged in exactly the same way as in classical, purely mechanical motor vehicle locks. However, this is not necessary, as the invention has recognized, because the mechanical inside actuating element for an electric lock need be actuated only in an emergency, therefore possibly only once or a few times during the entire life cycle of a motor vehicle. Proceeding from this analysis, the invention teaches that the mechanical inside actuating element is located where it can be optimally housed for construction reasons without regard to any ease of actuation for the operator located inside the motor vehicle. It is then directly on the door lock unit itself, an essential component of the motor vehicle with the mechanical latching elements.

Viewed in the context of Jakel et al. and the present claims, the mechanical inside actuating element of Jakel et al. which is used for mechanical redundancy "is made and arranged in exactly the same way as in classical, purely mechanical motor vehicle locks," while the claims define an arrangement in which the mechanical inside actuating element is "located where it can be optimally housed for construction reasons without regard to any ease of actuation for the operator located inside the motor vehicle."

Thus, the rejection of claim 1 and those claims depending therefrom is fatally flawed, whether or not the door pull is made of plastic, because the Jakel et al. disclosure teaches the acknowledged prior art, and not the claimed invention.

As for the rejection of claim 21, the Jakel et al. reference fails to disclose any basis for the Examiner's conclusion that it discloses the claimed double-pull triggering, whereby the electrical inside actuating element which has been deactivated in the locked state causes unlocking upon a first actuation thereof and upon a second interior side actuation thereof causes electrical triggering of the opening drive for unlatching the latching elements of the door lock unit. If the Examiner wishes to maintain this rejection, it is requested that he point to some specific statement in the Jakel et al. disclosure which would support the naked assertion made in his rejection.

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In view of the foregoing, the rejections based on the Jakel et al. patent, with and without reliance upon official notice of mechanical actuating elements being made of plastic, should be withdrawn and such action is hereby requested.

Claims 6, 7, 10, 11, 18, and 19 have been rejected based on the Jakel et al. patent when viewed in combination with the Burnell-Jones patent. However, since the Burnell-Jones patent merely relates to luminescent gel coats and moldable resins, nothing in its disclosure can overcome the deficiencies of the Jakel et al. patent noted above. Therefore, this rejection should also be withdrawn.

Claims 4 and 20 have been rejected based on the Jakel et al. patent when viewed in combination with applicants' description of U.S. Patent 6,135,778. However, all that was admitted is that this patent teaches "routing the components through a passage opening in the partition in the motor vehicle door between the dry space and the wet space," but as can be seen from the appended copy of this patent, the components routed through the partition are electrical components, i.e., "an electrical plug-in connector" extends through a partition wall between wet and dry spaces of the door and itself "seals the duct opening against dampness." Such a disclosure does not suggest an arrangement in which "the mechanical inside actuating element passes through a passage opening to the inside of the door in the area of the partition, a seal being formed around the opening." Moreover, this disclosure of how to form an electrical connection for an electronic lock cannot overcome the basic shortcomings of the Jakel et al. patent set forth above. Therefore, this rejection should also be withdrawn and such action is hereby requested.

The references that have been cited but not applied by the Examiner have been taken into consideration. However, since these references were not found to be relevant enough by the Examiner to apply against the original claims, no detailed comments thereon are believed to be warranted at this time.

While this application should now be in condition for allowance, in the event that any issues should remain after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for that purpose. In this regard, the Examiner's attention is directed to the new

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correspondence address and telephone number indicated below and on the accompanying Change of Address notice.

Lastly, accompanying this response is a request for extension of time petition and authorization to charge same to the deposit account of the undersigned's firm. However, should this extension of time petition become separated from this Amendment, then it is requested that this Amendment be construed as containing such a petition and the fee therefore should be charged to Deposit Account No. 50-2478(740116-506)

Respectfully submitted,

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